

Mediation and the Mediation Process

Mediation is a process in which individuals, groups or organizations in conflict try (with the help of mediators) to reach a mutually acceptable agreement that will resolve their dispute.

Mediation is voluntary: Participants agree to try mediation and have the right to end the mediation at any time.

Mediation is confidential: Mediators must keep everything said and done in mediation confidential.

Mediators are neutral: Mediators do not make judgments, take sides or impose an agreement on the participants. Agreements are crafted and accepted by the participants themselves, and they do so voluntarily.

The Mediation Process

Step 1

If you, your group, or your organization have a conflict with another person, group, or organization, and you think mediation might be an appropriate way to resolve the conflict, please contact the Rockville Community Mediation Program at 240-314-8316.

Step 2

Once you have called, Program staff will ask you and the other person/people in the dispute some questions to determine if mediation is right for you. If it is, the staff will set a date, time, and place for the mediation that is acceptable to all. Participants are asked to set aside two hours for the mediation. The mediation can be longer if needed. Two trained volunteer mediators from the Rockville Community Mediation Program will guide you in the mediation.

Step 3

The mediators will invite everyone to talk about what brings them to mediation and how they see the issues being resolved. They will help the participants generate a list of issues, then brainstorm solutions. Most times, the solutions that participants come up with together are much more creative and workable than if they had not collaborated, or had gone to court.

The mediators will then help the participants craft an agreement in the participants' own words. Verbal agreements are also an option. If the participants decide to end the mediation without an agreement, that is okay too. Sometimes the mediation process simply serves as an impetus to get participants talking to one another to increase their understanding of the dispute or miscommunication.

Follow-up

A couple of weeks after the mediation, Mediation Program staff will call all participants to see how they are doing with their agreement. Please keep in mind, however, that neither the Program, nor the City of Rockville, is

responsible for enforcing any agreements. That is up to the people who had the dispute. If they are having more problems, they can always come back to mediation.

Advantages of Mediation

- It saves money: There is no charge to use the Rockville Community Mediation Program and participants don't need to have lawyers. On the other hand, solving conflicts by filing lawsuits can be very costly. More and more, judges in small claims and other civil cases are strongly encouraging people in dispute to try mediation.
- It saves time: Mediation offers a speedy resolution to what may be a long-term problem without having to resort to legal action. Every effort will be made to schedule a mediation session that is convenient for the participants, whether during the day or evening.
- It keeps the problem confidential: The mediation sessions are voluntary and the mediators agree to keep the discussions confidential. This permits open discussion on the issues in order to resolve the dispute.
- It reduces stress: Mediation is a process in which people may learn effective ways of communicating and resolving conflict, a skill that may be applied in other situations in life.
- It restores peace of mind: When individuals choose to mediate their dispute, they become actively involved in resolving the conflict. This participation is key to developing a mutually beneficial agreement that both participants will support.

And more...

- Mediation allows people, groups, and organizations in conflict to find their own resolutions to their issues.
- Mediation offers a chance to seek creative solutions to a problem.
- Because agreements are mutually created and agreed on, not imposed from above, participants usually report a high degree of satisfaction with the process.
- Mediation agreements have a high rate of compliance.
- Because the people in the dispute come up with their own solution, they are more likely to stick to it. Often, mediation helps people in dispute increase their understanding of the dispute and of each other's points of view.
- Mediation can help heal or build relationships.

Even if people in the dispute don't reach a final agreement, the mediation process promotes constructive dialogue that may help de-escalate the conflict, lower tensions, and make it easier to resolve the conflict at a later time.

Since it is not adversarial, mediation is a good process to use when relationships are important, like between friends and neighbors, landlords and tenants, businesses and clients.

